

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Acucela Inc.,

Plaintiff(s),

v.

Manhattan Vision Associates et al.,

Defendant(s).

24-CV-1856 (DEH)

ORDER OF DISMISSAL

DALE E. HO, United States District Judge:

The Court having been advised that all claims asserted herein have been settled in principle, it is ORDERED that the above-entitled action be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within thirty days** of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed by the aforementioned deadline; any application to reopen filed thereafter may be denied solely on that basis. Further, requests to extend the deadline to reopen are unlikely to be granted.

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per the Court’s Individual Rule No. 7, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is respectfully directed to terminate ECF No. 26 and to close the case.

SO ORDERED.

Dated: July 16, 2025

New York, New York



DALE E. HO
United States District Judge